

### **REMARKS/ARGUMENTS**

#### **The Claims**

Claims 10-22 are in the application.

Claims 14 and 15 are identified as allowable if rewritten into independent form.

Claims 10, 14 and 22 are amended.

Claims 12 and 21 are canceled.

#### **Allowable Subject Matter**

The Office Action at page 6 states that claims 14 and 15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this reply the applicants have followed the Examiner's instructions exactly. Claim 14 is rewritten herein into independent form including all of the limitations of base claim 10. Claim 15 already depends from allowable claim 14. Therefore claims 14 and 15 are in condition for allowance.

In view of the above, the applicants respectfully request the allowance of claims 14 and 15.

#### **Claim Objections**

Claim 22 is objected to due to informalities. The Office Action states that in line 5, the word "provide" should be "provided".

To completely eliminate this issue, claim 22 is amended herein to recite "provided" as suggested in the Office Action.

### **Claim Rejections-35 USC § 103**

*Claim 21 stands rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement.*

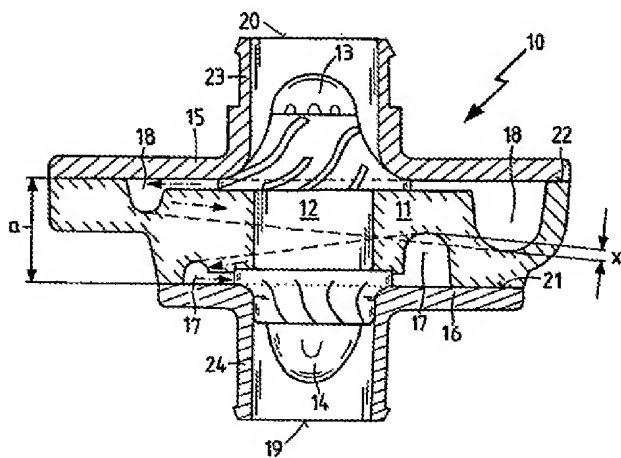
The Office Action at page 2 contends that the limitations of claim 21, specifically "--- the parting plane is situated centrally in the cross section of the spiral channel between the covers---" is mutually exclusive to the limitations of claim 1 "--- spiral channels are provided entirely in the housing part---".

To completely eliminate this issue and advance the prosecution, claim 21 is canceled.

### **Claim Rejections-35 USC § 103**

*Claims 10-13 and 16-22 stand rejected under 305 USC 103(a) as being unpatentable over Reynolds, US ,598,5452 in view of Roemuss et al., US 2005/0069427.*

#### Regarding claim 12

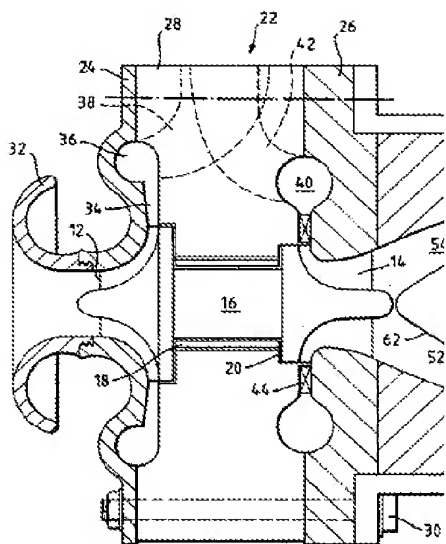


The language of examined claim 12 requires:

"--- wherein each cover (15,16) has an essentially planar construction facing the central housing part (11)." (See originally filed Figures 1, 2, 3a, 3b and 3c). See applicants Fig 1 at left.

The language of examined claim 12 requires the covers to have an

essentially planar construction facing the central housing part.

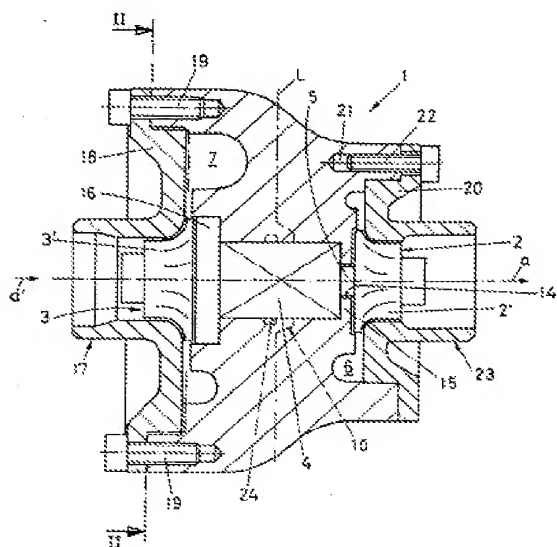
Reynolds:

The Office Action at page 5, first line, contends: "Both covers (plates 24,26) of Reynolds are essentially planar and face the central housing core." We believe this to be in error for the following reasons.

Referring now to Reynolds Figure 1 (at immediate left), Reynolds discloses his covers (plates 24, 26) as non-planar facing the housing (22). Particularly refer to the volutes (36 and 40) formed in the covers (plates 24, 26), forming an indented groove on the cover facing the housing (22) and making the covers

non-planar, contrary to the language of applicant's claim 12. Also note the radially inward portion of cover (26) is stepped axially outwardly relative to the radially outward portion of cover (26). Also note the portion of the cover (24) positioned radially inwardly from the channel (36) (24) extends axially inwards towards the housing core relative to the portion of the cover (24) positioned radially outwards from the channel (36).

Therefore, Reynold's covers (24,26) do not have an "essentially planar construction facing the central housing part" as required by the language of examined claim 12.

Roemuss

Although not described as a rejection basis for the specific limitations of claim 12, applicants further note that Roemuss in his Figure 1 (shown immediately at left) also fails to disclose a "wherein each cover (18,20) has an essentially planar construction facing the central housing part (11)". Take note of the inward step of the covers (18,20) where the covers face the channels (6,7), the inward step relative to the housing facing

portion of the covers proximate to bolts (19,22). Therefore, Roemuss's non-planar stepped covers (18,20) do not have an "essentially planar construction facing the central housing part" as required by the language of examined claim 12.

As is shown and argued above, Reynolds, US ,598,5452 in view of Roemuss et al., US 2005/0069427, references taken alone or in combinations, fail to teach, disclose or suggest the limitations of examined claim 12. Therefore, we respectfully assert and believe that examined claim 12 is patentable over Reynolds, US ,598,5452 in view of Roemuss et al., US 2005/0069427.

In view of the above, claim 10 is amended herein only add the limitations of examined claim 12. With this amendment of claim 10 to include claim 12, claim 12 is canceled. Amended claim 10 has only the limitations of examined claims 10 and 12, therefore no new matter is added and claimed limitations are as searched by the Office. The applicants respectfully request the admission of the amendment to claim 10 and the allowance of claim 10.

In view of amended claim 10, the applicants respectfully request the reconsideration and withdrawal of the rejection of claims 10-13 and 16-22 under 305 USC 103(a) as being unpatentable over Reynolds, US ,598,5452 in view of Roemuss et al., US 2005/0069427.

### **CONCLUSION**

In view of the above, the applicants respectfully request the withdrawal of the discussed claim objections and rejections. The applicants respectfully request the allowance of claims 10, 11, 13-20 and 22. All claims are now believed to be in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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